IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Brian David Marsh et al.
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For	:	Managing Content Based on Reputation

Examiner	:	Jonathan G. Sterrett
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Mail Stop Appeal Brief - Patents
Commissioner for Patents
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APPELLANT'S BRIEF

Commissioner for Patents:

This brief is in furtherance of the Notice of Appeal, filed for this application on July 22, 2010, and in response to the final Office Action for this application mailed on April 22, 2010 (hereinafter "the final Office Action").

The fees required under Section 41.20(b)(2) are dealt with in the accompanying transmittal letter. Nonetheless, the Director is authorized to charge any additional fees that are due by way of this filing, or credit any overpayment, to our Deposit Account No. 19-1090.

I.   REAL PARTY IN INTEREST

The real party in interest is Amazon Technologies, Inc., which is the assignee of the present application, and which is a subsidiary of Amazon.com, Inc. An Assignment to the assignee has been recorded with the United States Patent and Trademark Office, at Reel 022346, Frame 0211.

II. RELATED APPEALS AND INTERFERENCES

An appeal before the Board of Patent Appeals and Interferences is currently pending for U.S. Patent Application No. 11/165,842, which claims priority from the present application as a continuation-in-part application.

III. STATUS OF CLAIMS

Claims 11-38 and 49-72 are currently pending, and claims 1-10 and 39-48 are canceled. The currently pending claims 11-38 and 49-72 are rejected. The rejections of the non-allowed claims 11-38, 49-56 and 58-72 are being appealed. The rejection of claim 57 is not being appealed.

IV.   STATUS OF AMENDMENTS

An Amendment after final was filed on June 22, 2010, after the final Office Action dated April 22, 2010 (hereinafter "the final Office Action"). The Amendment after final was <u>not</u> entered, as is indicated in the Advisory Action dated July 9, 2010, because the proposed amendment to the preamble of independent claim 49 was alleged to require a new search or other further consideration.

V.   SUMMARY OF CLAIMED SUBJECT MATTER

Brief summaries of the independent claims are provided below. However, Appellant first provides a brief overview of some embodiments of the claimed subject matter. As a brief overview, embodiments are generally related to automated techniques for assessing content that is provided by an author user and evaluated by other evaluator users, with the automatic assessment being based at least in part on generated reputation weights of the evaluator users. For example, in some embodiments, the automated techniques may be performed by a computing system of a Web merchant selling various items, with the provided content being a textual review by a first customer user of the Web merchant of an item sold by the Web merchant, and with the evaluator users being other customer users of the Web merchant who provide quantitative assessments of the first customer user's textual review. In some embodiments, after various evaluator users have quantitatively evaluated the customer-provided textual review of the item, and after the automatic assessment of the customer-provided textual review is performed, the computing system of the Web merchant may use that prior automated assessment of the provided textual review from the first customer user to automatically determine whether to use that customer-provided textual review for multiple other users of the Web merchant, such as whether to provide the customer-provided textual review to multiple other users to assist in their consideration of the item that was reviewed.

The present application includes three independent claims, each of which is being appealed. The independent claims being appealed are briefly summarized and then reproduced below, together with citations to corresponding portions of the specification and drawings per 37 C.F.R. § 41.37(c)(1)(v). The citations below are provided in order to illustrate specific examples and embodiments of the recited language, and are not intended to limit the claims.

None of the independent claims involved in the appeal or dependent claims addressed separately includes means plus function elements or step plus function elements as permitted by 35 U.S.C. 112, sixth paragraph, and thus no corresponding summaries related to such means plus function elements or step plus function elements are included.

A. Independent Claim 11

Independent claim 11 involves a computer-implemented method in which one or more programmed computing systems perform automated operations for assessing user-provided reviews of items available from a Web merchant in a manner that is based in part on assessed reputations of multiple evaluators of the reviews, and for selecting particular such user-provided item reviews to provide to other users of the Web merchant based on the automated assessments. The computer-implemented method includes maintaining an existing reputation weight for each of multiple evaluator users based on prior evaluation activities of that user, and then using those existing reputation weights as part of the automated assessment of a new user-provided item review. In particular, after an item review is received from a reviewer user and evaluations of the item review are received from multiple evaluator users who have existing reputation weights for the Web merchant, an aggregate assessment of the content of the review is automatically generated based on combining quantitative assessments included in the received evaluations, and based on using the existing reputation weight of each evaluator user to influence the impact of his or her corresponding quantitative assessments on the aggregate assessment. The automatically generated aggregate assessment of the user-provided item review is then used to determine whether to provide the review to additional users. As part of maintaining the reputation weights of the evaluator users, the one or more programmed computing systems further automatically update an evaluator user's reputation weight based on a relationship between how that evaluator user and the other evaluator users have quantitatively assessed the same review in their respective evaluations.

The computer-implemented method of claim 11 comprises the following:

receiving from a reviewer user a review related to an item available from a Web merchant, the receiving of the review being performed by one or more programmed computing systems of the Web merchant;	(*see, e.g.,* Fig. 7A, steps 705-735, and corresponding ¶ 54 at page 22, line 25 to page 23, line 10; ¶ 18 at page 4, lines 22-25; ¶ 31 at page 11, lines 6-9; Fig. 4, review 410, and corresponding ¶ 50 at page 20, line 7 to page 21, line 3; Fig. 6, generally, and corresponding ¶ 52 at page 21, lines 20-26; Fig. 1, Content Rater component 142 in memory 130 of computing system 100, and corresponding ¶ 35 at page 12, lines 15-19; etc.)

receiving multiple evaluations of the review, each of the multiple evaluations being from one of multiple evaluator users who each has an existing reputation weight for the Web merchant that is based at least in part on previous evaluations supplied by that evaluator user for multiple other reviews for items available from the Web merchant, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review;	(*see, e.g.*, Figs. 7A-7B, steps 710 and 740-745, and corresponding ¶ 55 at page 23, lines 11-24; Fig. 1, Content Rater component 142, and corresponding ¶ 35 at page 12, line 19 to page 13, line 2; ¶ 17 at page 4, lines 1-21; ¶¶ 22-23 at page 6, line 11 to page 7, line 9; ¶ 31 at page 11, lines 6-9; ¶¶ 28-29 at page 9, line 5 to page 10, line 11; Fig. 4, review 410 and evaluation rating selections 415-416, and corresponding ¶ 50 at page 20, line 7 to page 21, line 3; *see also* Fig. 10, generally, and corresponding ¶¶ 72-77 at pages 30-33, generally describing calculating evaluator reputation; etc.)
automatically generating an aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, the generated aggregate assessment being further based on the existing reputation weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight, the automatic generating being performed by the one or more programmed computing systems;	(*see, e.g.*, Fig. 7B, steps 762-765, and corresponding ¶¶ 56-57 at page 23, line 25 to page 24, line 17; Fig. 1, Content Rater 142 component in memory 130 of computing system 100, and corresponding ¶ 36 at page 13, lines 3-20; ¶ 17 at page 4, lines 1-5; ¶ 19 at page 5, lines 3-12; ¶ 27 at page 8, lines 20-28; ¶¶ 22-23 at page 6, line 11 to page 7, line 9; *see also* Fig. 10, generally, and corresponding ¶¶ 72-77 at pages 30-33, generally describing calculating evaluator reputation; etc.)
automatically updating the existing reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users, the automatic updating being performed by the one or more programmed computing systems; and	(*see, e.g.*, Fig. 7B, step 774, and corresponding ¶ 58 at page 25, lines 1-3; Fig. 10, steps 1025-1050, and corresponding ¶¶ 74-75 at page 31, line 19 to page 32, line 30; ¶ 22 at page 6, lines 11-27; ¶ 27 at page 9, lines 1-4; Fig. 1, Evaluator Reputation Assessor component 146 in memory 130 of computing system 100, and corresponding ¶ 37 at page 13, line 21 to page 14, line 14; etc.)
for each of multiple additional users of the Web merchant who are distinct from the multiple evaluator users and from the reviewer user, determining whether to provide the review to the additional user based at least in part on the automatically generated aggregate assessment for the content of the review.	(*see, e.g.*, Fig. 8, steps 810-840, and corresponding ¶¶ 61-63 at page 26, line 2 to page 27, line 13; ¶ 16 at page 3, lines 16-20; ¶ 41 at page 16, lines 9-16; etc.)

B. Independent Claim 49

Independent claim 49 involves a computer-readable medium whose stored contents cause a computing device to perform automated operations for assessing a user-provided review of an item based in part on assessed reputations of multiple evaluators of the review, and for determining whether to provide the review to another user based on the automated assessment of the review. The automated operations include maintaining an existing reputation weight for each of the multiple evaluator users based on prior evaluation activities of that user, and then using those existing reputation weights as part of the automated assessment of a new user-provided item review. In particular, after an item review is received from a reviewer user and evaluations of the review are received from multiple evaluator users who have existing reputation weights, an aggregate assessment of the content of the review is automatically generated based on combining quantitative assessments from the received evaluations, and based on using the existing reputation weight of each evaluator user to influence the impact on the aggregate assessment of the user's corresponding quantitative assessments. The automatically generated aggregate assessment of the user-provided item review is then used to determine whether to provide the review to an additional user. In addition, the reputation weight of an evaluator user is updated based on a relationship between how that evaluator user and other evaluator users have quantitatively assessed the same review in their respective evaluations.

The computer-readable medium of claim 49 includes contents that cause a computing device to perform a method that comprises the following:

receiving from a reviewer user a review related to an available item;	(*see, e.g.*, Fig. 7A, steps 705-735, and corresponding ¶ 54 at page 22, line 25 to page 23, line 10; ¶ 18 at page 4, lines 22-25; ¶ 31 at page 11, lines 6-9; Fig. 4, review 410, and corresponding ¶ 50 at page 20, line 7 to page 21, line 3; Fig. 6, generally, and corresponding ¶ 52 at page 21, lines 20-26; Fig. 1, Content Rater component 142, and corresponding ¶ 35 at page 12, lines 15-19; etc.)

receiving evaluations of the review from each of multiple evaluator users, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review, each of the evaluator users having an existing reputation weight based at least in part on previous evaluations;	(*see, e.g.*, Figs. 7A-7B, steps 710 and 740-745, and corresponding ¶ 55 at page 23, lines 11-24; Fig. 1, Content Rater component 142, and corresponding ¶ 35 at page 12, line 19 to page 13, line 2; ¶ 17 at page 4, lines 1-21; ¶¶ 22-23 at page 6, line 11 to page 7, line 9; ¶ 31 at page 11, lines 6-9; ¶¶ 28-29 at page 9, line 5 to page 10, line 11; Fig. 4, review 410 and evaluation rating selections 415-416, and corresponding ¶ 50 at page 20, line 7 to page 21, line 3; *see also* Fig. 10, generally, and corresponding ¶¶ 72-77 at pages 30-33, generally describing calculating evaluator reputation; etc.)
automatically generating at least one aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, at least one of the generated aggregate assessments being further based on the reputation weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight;	(*see, e.g.*, Fig. 7B, steps 762-765, and corresponding ¶¶ 56-57 at page 23, line 25 to page 24, line 17; Fig. 1, Content Rater component 142, and corresponding ¶ 36 at page 13, lines 3-20; ¶ 17 at page 4, lines 1-5; ¶ 19 at page 5, lines 3-12; ¶ 27 at page 8, lines 20-28; ¶¶ 22-23 at page 6, line 11 to page 7, line 9; *see also* Fig. 10, generally, and corresponding ¶¶ 72-77 at pages 30-33, generally describing calculating evaluator reputation; etc.)
automatically updating the reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users; and	(*see, e.g.*, Fig. 7B, step 774, and corresponding ¶ 58 at page 25, lines 1-3; Fig. 10, steps 1025-1050, and corresponding ¶¶ 74-75 at page 31, line 19 to page 32, line 30; ¶ 22 at page 6, lines 11-27; ¶ 27 at page 9, lines 1-4; Fig. 1, Evaluator Reputation Assessor component 146, and corresponding ¶ 37 at page 13, line 21 to page 14, line 14; etc.)
determining whether to provide the review to another user based at least in part on one or more of the automatically generated aggregate assessments for the content of the review.	(*see, e.g.*, Fig. 8, steps 810-840, and corresponding ¶¶ 61-63 at page 26, line 2 to page 27, line 13; ¶ 16 at page 3, lines 16-20; ¶ 41 at page 16, lines 9-16; etc.)

C. Independent Claim 59

Independent claim 59 involves a computing device that is configured to perform automated operations for assessing a user-provided review of an item available from a Web

merchant based in part on assessed reputations of multiple evaluators of the review, and for determining whether to provide the review to another user of the Web merchant based on the automated assessment of the review. The automated operations include maintaining an existing reputation weight for each of the multiple evaluator users based on prior evaluation activities of that user, and then using those existing reputation weights as part of the automated assessment of a new user-provided item review. In particular, the configured computing device includes one or more hardware processors, and multiple components that are configured to be executed by the one or more processors. When executed, one of the components receives an item review from a reviewer user, receives evaluations of the review from multiple evaluator users who have existing reputation weights for the Web merchant, and automatically generates an aggregate assessment of the content of the review based on combining quantitative assessments from the received evaluations, and based on using the existing reputation weight of each evaluator to influence the impact of his or her quantitative assessments on the aggregate assessment. Another of the components, when executed, automatically determines whether to provide the review to an additional user based on the automatically generated aggregate assessment of the user-provided item review. Yet another of the components, when executed, automatically updates the reputation weight of an evaluator user based on a relationship between how that evaluator user and other evaluator users have quantitatively assessed the same review in their respective evaluations.

The computing device of claim 59 comprises the following:

one or more processors;	(*see, e.g.*, Fig. 1, CPU 105 of computing system 100 and CPU 172 of computers 170, and corresponding ¶ 33 at page 11, line 29 to page 12, line 3; etc.)
a content rater component configured to, when executed by at least one of the one or more processors: receive from a reviewer user a review related to an item available from a Web merchant;	(*see, e.g.*, Fig. 1, Content Rater component 142 in memory 130 of computing system 100, and corresponding ¶ 35 at page 12, lines 15-19; Fig. 7A, steps 705-735, and corresponding ¶ 54 at page 22, line 25 to page 23, line 10; ¶ 18 at page 4, lines 22-25; ¶ 31 at page 11, lines 6-9; Fig. 4, review 410, and corresponding ¶ 50 at page 20, line 7 to page 21, line 3; Fig. 6, generally, and corresponding ¶ 52 at page 21, lines 20-26; etc.)

receive evaluations of the review from each of multiple evaluator users, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review, each of the evaluator users having a single existing reputation weight for the Web merchant based at least in part on previous evaluations supplied by that evaluator user for multiple other reviews for items available from the Web merchant; and	(*see, e.g.*, Fig. 1, Content Rater component 142, and corresponding ¶ 35 at page 12, line 19 to page 13, line 2; Figs. 7A-7B, steps 710 and 740-745, and corresponding ¶ 55 at page 23, lines 11-24; ¶ 17 at page 4, lines 1-21; ¶¶ 22-23 at page 6, line 11 to page 7, line 9; ¶ 31 at page 11, lines 6-9; ¶¶ 28-29 at page 9, line 5 to page 10, line 11; Fig. 4, review 410 and evaluation rating selections 415-416, and corresponding ¶ 50 at page 20, line 7 to page 21, line 3; *see also* Fig. 10, generally, and corresponding ¶¶ 72-77 at pages 30-33, generally describing calculating evaluator reputation; etc.)
automatically generate at least one aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, one or more of the generated aggregate assessments being further based on the single existing reputation weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight;	(*see, e.g.*, Fig. 1, Content Rater component 142, and corresponding ¶ 36 at page 13, lines 3-20; Fig. 7B, steps 762-765, and corresponding ¶¶ 56-57 at page 23, line 25 to page 24, line 17; ¶ 17 at page 4, lines 1-5; ¶ 19 at page 5, lines 3-12; ¶ 27 at page 8, lines 20-28; ¶¶ 22-23 at page 6, line 11 to page 7, line 9; *see also* Fig. 10, generally, and corresponding ¶¶ 72-77 at pages 30-33, generally describing calculating evaluator reputation; etc.)
an evaluator reputation assessor component configured to automatically update the single existing reputation weights for each of one or more of the evaluator users for the Web merchant based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users; and	(*see, e.g.*, Fig. 1, Evaluator Reputation Assessor component 146, and corresponding ¶ 37 at page 13, line 21 to page 14, line 14; Fig. 7B, step 774, and corresponding ¶ 58 at page 25, lines 1-3; Fig. 10, steps 1025-1050, and corresponding ¶¶ 74-75 at page 31, line 19 to page 32, line 30; ¶ 22 at page 6, lines 11-27; ¶ 27 at page 9, lines 1-4; etc.)
a content manager system configured to, when executed by at least one of the one or more processors, determine whether to provide the review to another user based at least in part on one or more of the automatically generated aggregate assessments for the content of the review.	(*see, e.g.*, Fig. 1, content manager system 190, and corresponding ¶ 41 at page 16, lines 9-16; Fig. 8, steps 810-840, and corresponding ¶¶ 61-63 at page 26, line 2 to page 27, line 13; ¶ 16 at page 3, lines 16-20; etc.)

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 11-38 and 59-70 are obvious under 35 U.S.C. § 103(a) based on a combination of Tiwana et al. (a non-patent reference entitled "A Social Exchange Architecture for Distributed Web Communities," hereinafter "Tiwana") and Williams et al. (U.S. Patent No. 6,952,678, hereinafter "Williams").

Whether claims 71-72 are obvious under 35 U.S.C. § 103(a) based on a combination of Tiwana, Williams and Konstan et al. (a non-patent reference entitled "Recommender Systems: A GroupLens Perspective," hereinafter "Konstan").

Whether claims 49-56 and 58 are obvious under 35 U.S.C. § 103(a) based on a combination of Tiwana and Delgado et al. (a non-patent reference entitled "Memory-Based Weighted-Majority Prediction for Recommender Systems," hereinafter "Delgado").

VII.   ARGUMENTS

A. Rejection of Claims 11-38 and 59-70 under 35 U.S.C. § 103(a) based on Tiwana and Williams

1.   Independent Claim 11 and Dependent Claims 12-38 and 69-70

The Tiwana and Williams references do not teach or suggest the recited claim elements of independent method claim 11, nor the recited claim elements of claims 12-38 and 69-70 that depend from claim 11, and these claims are not otherwise obvious in light of Tiwana and Williams.

Nonetheless, the final Office Action has rejected independent method claim 11 under 35 U.S.C. § 103(a) as allegedly being unpatentable over a combination of Tiwana and Williams, and has rejected dependent claims 12-38 and 69-70 on the same basis. However, as is discussed in more detail below, the final Office Action is in error.

Claim 11 recites the following elements (with emphasis added):

receiving from a reviewer user a review related to an item available from a Web merchant, the receiving of the review being performed by one or more programmed computing systems of the Web merchant;

receiving multiple evaluations of the review, each of the multiple evaluations being from one of multiple evaluator users who each has an existing reputation weight for the Web merchant that is based at least in part on previous evaluations supplied by that evaluator user for multiple other reviews for items available from the Web merchant, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review;

automatically generating an aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, the generated aggregate assessment being further based on the existing reputation weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight, the automatic generating being performed by the one or more programmed computing systems;

automatically updating the existing reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of

that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users, the automatic updating being performed by the one or more programmed computing systems; and

for each of multiple additional users of the Web merchant who are distinct from the multiple evaluator users and from the reviewer user, determining whether to provide the review to the additional user based at least in part on the automatically generated aggregate assessment for the content of the review.

Thus, as recited above, each of multiple evaluator users who provides a quantitative assessment of a particular item review has an existing reputation weight based at least in part on prior evaluation activities for the Web merchant, and the existing reputation weight of each of the evaluator users is updated based on a relationship of the quantitative assessments of the review included in the evaluation provided by the evaluator user to the quantitative assessments of the same review included in other evaluations provided by other of the multiple evaluator users.

Various of the recited claim elements of independent method claim 11 are not taught, suggested or otherwise rendered obvious by the Tiwana and Williams references, whether alone or in combination. For example, the Tiwana and Williams references lack any teaching or suggestion of updating an evaluator user's reputation weight based on a relationship between the quantitative assessments provided by the evaluator user in an evaluation of an item review and the quantitative assessments provided by other evaluator users in evaluations of the same item review.

With respect to the Tiwana reference, it generally describes concepts related to users sharing knowledge in Web environments. In particular, Tiwana describes that users may contribute reviews of items, and other users may vote as to whether a particular review is useful or not, so that the users who provide the reviews may be ranked (*e.g.*, as "top" reviewers) according to the accumulated votes cast for that user's reviews. (Tiwana, page 247, col. 2). However, these rankings of reviewers are based on the <u>actual reviews</u> provided by the reviewer user who is being evaluated, rather than on any <u>evaluations</u> of reviews that are provided by other users. In other words, in Tiwana, a particular user's rankings appears to be based only on that particular person's activities in contributing item reviews (based on how those item reviews are manually rated by other users), not based on any evaluations that are provided by that particular person. Thus, Tiwana fails to disclose any functionality related to reputation weights for an evaluator user that is even remotely based on evaluations supplied by that evaluator user.

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Accordingly, since such evaluator user reputation weights are never disclosed in Tiwana, Tiwana further lacks any teaching or suggestion of "updating the existing reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users," such as is recited by independent claim 11. Moreover, the final Office Action admits that Tiwana lacks disclosure of such updating of existing reputation weights. (Final Office Action dated April 22, 2010, pages 6-7).

Instead, the final Office Action alleges that Williams teaches the above-indicated functionality related to updating a reputation weight of an evaluator user based on quantitative assessments from both the evaluator user and other evaluator users for the same review. However, the final Office Action is in error, as the Williams reference does not include any such teaching. In particular, Williams generally describes an interactive system where users (referred to as "workers") collaborate on ideas, such as by rating ideas, posting comments about ideas in a corresponding idea discussion thread, and voting on the posted comments. (Williams, Abstract). The workers in Williams earn various reputation-related credentials (*e.g.*, merit, wisdom and links), which affects how influential a worker is in the system, including to weigh the worker's votes according to his or her influence (referred to as "influence-weighted voting"). (Williams, col. 7, line 57 to col. 8, line 10; col. 8, lines 55-63; and col. 4, lines 5-10). However, such reputation credentials for a worker appear to be based on the worker's activities (*e.g.*, how many comments or votes the worker provides and whether the worker suggests recommendations for an idea that are followed by an administrator) and how the worker's posted comments are evaluated by other users (*see, e.g.*, Williams, col. 7, line 57 to col. 8, line 10; col. 8, lines 55-63; col. 9, lines 45-67, and, generally, col. 15, line 5 to col. Line 37), but are not determined or otherwise updated based on how a worker's quantitative assessments of others' content relates to other worker's quantitative assessments of that same content.

The final Office Action cites to various sections of Williams as allegedly teaching claim elements related to "updating the existing reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users." (*See, e.g.*, Final Office Action dated April 22, 2010, page 7). However, these relied-

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upon sections of Williams are unrelated to the indicated claim elements. In particular, the final
Office Action relies on the following quoted sections of Williams:

> Typically, all of the votes for a particular post as well as all other votes on all other posts
> within the idea discussion are used to determine the post credit for that post. Each post is
> attributed to one worker, and one worker may have any number of posts, each potentially
> earning a post credit. Referring to FIG. 7, a method for determining post credit for a single
> post based on all worker voting activity within the idea discussion is illustrated according to
> one aspect of the present invention. In operation 700, a worker votes on a post as discussed
> above. In one example, the vote may have a value of +3, +2, +1, 0, or -1. In operation 702, it
> is determined whether influence-weighted voting is enabled. In operation 704, if influence-
> weighted voting is enabled, then the vote value from operation 700 is multiplied by the
> worker influence of the worker that cast the vote to obtain a weighted vote value. For
> example, if a worker has a raw influence of 3.3, and casts a vote for a particular post of +2,
> then the weighted vote value is 6.6. The system may be configured so that the raw influence
> value (see FIG. 12) is used as the multiplier in operation 704 or the worker's influence level
> (0-10) (see FIG. 12) is used.
>
> In operation 706, the vote value is added to the vote total for the post. For example, if the
> vote total for the post is 100, then 6.6 is added to the post to result in a new vote total of
> 106.6. If, in operation 702, influence weighted voting was not enabled, then the new total
> would be 102 (previous total (100)+2=102).
>
> In operation 708, the percent credit for the post is determined. In one example, the percent
> credit for the post is the total vote value for that post divided by the total vote value for all
> posts in the discussion. For example, if the vote total for all posts within an idea discussion is
> 1.575.2, the vote total for a post is 106.6, then the post credit for the post is
> 106.6/1,575.2=6.77%.
>
> (Williams, col. 15, line 66 to col. 16, line 32).

> Voting is considered a form of work, and is one component of the present invention that
> facilitates collaborative behavior amongst workers. Voting allows a worker's peers in the
> worksite to collectively indicate the value that the worker's post has added to the overall
> discussion about the idea. When a post is voted on, it earns a percent credit among all the
> posts related with the idea, which is used to determine the amount of merit that will be
> allocated to the worker that created the post when merit is paid to the idea.
>
> (Williams, col. 17, lines 51-59).

However, as is indicated by the above-quoted sections, Williams describes determining a "merit"
credential for a worker based on "post credit" that the worker earns for posting comments in an
idea discussion thread. The post credit is determined based on a proportional amount of votes
that the post receives with respect to the total amount of votes cast for all comments posted to the
idea discussion. However, the worker's posts are not evaluations of content provided by other

users, nor do they include quantitative assessments of any such content provided by other users, and furthermore, the worker's posts are not evaluated "based on a relationship of the quantitative assessments from the evaluation ... to the quantitative assessments from the evaluations of other of the evaluator users," as recited in claim 11. Instead, this indicated functionality of Williams that is quoted above is completely unrelated to determining a user's reputation based on how a user's quantitative assessment of content relates to other user's quantitative assessments of the same content.

Moreover, even if one were to assume, hypothetically, that the workers in Williams who post comments for an idea discussion are analogous to the evaluator users recited in claim 11, such a hypothetical version of Williams would still fail to teach or suggest the above-indicated claim elements. For example, the amount of "merit" that a worker earns for posts is based on a proportional amount of votes that the worker's posts receive from a total amount of votes cast for all posts within an idea discussion. However, the amount of votes that a worker's posts receive indicates nothing about that worker's quantitative assessments of an idea from another worker, let alone a relationship between the quantitative assessments of the idea from that worker with respect to other quantitative assessments of that same idea from multiple other workers.

Furthermore, even if one were to alternatively assume, hypothetically, that the workers in Williams who vote on the various posts in an idea discussion are analogous to evaluator users (rather than the workers who creates those posts), such an alternative hypothetical version of Williams would also still fail to teach or suggest the above-indicated claim elements. For example, Williams describes that various workers may vote on the posts using values of -1 to +3 (with or without influence voting enabled), which impacts how much "merit" that another worker who posted the post earns from that voting, but Williams does not describe that a voting worker himself/herself earns merit or any other form of reputation based on how that worker has voted for another worker's post, and specifically does not describe that a voting worker earns any form of reputation based on a relationship of the voting worker's votes to how other workers have voted for that same particular post. To the contrary, a worker may earn "voting credit" for casting a vote, but such credit appears to be based on a percentage of the total number of votes cast for all posts related to an idea discussion, which is completely

unrelated to how the voter has quantitatively assessed any particular post, let alone with respect to how other voters have quantitatively assessed that same post. (*See, e.g.*, Williams, col. 17, line 60 to col. 18, line 19).

Thus, despite the allegations in the final Office Action, Williams describes a system that does a different type of tracking about different types of activities of users for a different purpose. There is simply no disclosure of any functionality analogous to the recited claim elements discussed above, and the final Office Action has not provided any credible basis on which Williams could be considered to be relevant to the claimed subject matter.

Thus, for all of the reasons discussed above, Appellant respectfully submits that the final Office Action has failed to present even a *prima facie* case of obviousness for claim 11, as none of the relied-upon references include any teaching or motivation to automatically update the existing reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user for a particular piece of content to the quantitative assessments from the evaluations of other of the evaluator users for that same piece of content. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974); *see also* MPEP § 2143.03 ("All words in a claim must be considered in judging the patentability of that claim against the prior art."). In addition, to meet the burden of establishing a *prima facie* case of obviousness, "the Examiner must show that there is either a suggestion in the art to produce the claimed invention or a compelling motivation based on sound scientific principles." *Ex parte Kranz*, 19 U.S.P.Q.2d 1216, 1218 (Bd. Pat. App. & Interf. 1991). Furthermore, "[t]he mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious <u>unless the prior art suggested the desirability of the modification</u>." *In re Fritch*, 972 F.2d 1260, 1266 (Fed. Cir. 1992) (emphasis added). To show a suggestion, the Examiner must show that "the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art." *In re Bell*, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993).

Furthermore, no reason is apparent why one of skill in the art would be motivated to modify the systems of the relied-upon Tiwana and Williams references to include the missing claimed features and techniques discussed above. Appellant notes that the Supreme Court

emphasized in its ruling in *KSR v. Teleflex*, 550 U.S. 398 (2007) that a finding of obviousness should be supported by an explicit reason that one of skill in the art would have been motivated to modify existing systems or techniques to achieve the claimed systems or techniques, and that hindsight bias must be guarded against in identifying such an explicit reason. In particular, the Supreme Court indicated the following:

> ... it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does. This is so because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known. . . . A factfinder should be aware, of course, of the distortion caused by hindsight bias and must be cautious of arguments reliant upon ex post reasoning. *See Graham*, 383 U. S., at 36 (warning against a "temptation to read into the prior art the teachings of the invention in issue" and instructing courts to "'guard against slipping into the use of hindsight'" (quoting *Monroe Auto Equipment Co. v. Heckethorn Mfg. & Supply Co.*, 332 F. 2d 406, 412 (CA6 1964))).

KSR v. Teleflex, 550 U.S. 398, 418-421 (2007).

With respect to independent claim 11, no reason has been demonstrated why one of skill in the art would be motivated to modify the Tiwana and Williams systems to include the various claimed elements discussed above that those systems lack, nor how the Tiwana and Williams systems could be operable if modified to include such claim elements.

Thus, for at least all these reasons, and given that the relied-upon Tiwana and Williams references do not teach, suggest or otherwise render obvious the recited functionality of independent method claim 11, claim 11 is patentable over these references, as are claims 12-38 and 69-70 that depend from claim 11.

2. Independent Claim 59 and Dependent Claims 60-68

The Tiwana and Williams references do not teach or suggest the recited claim elements of independent computing device claim 59, nor the recited claim elements of claims 60-68 that depend from claim 59, and these claims are not otherwise obvious in light of Tiwana and Williams.

Nonetheless, the final Office Action has rejected independent computing device claim 59 under 35 U.S.C. § 103(a) as allegedly being unpatentable over a combination of Tiwana

and Williams, and has rejected dependent claims 60-68 on the same basis. However, as is discussed in more detail below, the final Office Action is in error.

Claim 59 recites the following elements (with emphasis added):

… a content rater component configured to, when executed by at least one of the one or more processors:

receive from a reviewer user a review related to an item available from a Web merchant;

receive evaluations of the review from each of multiple evaluator users, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review, each of the evaluator users having a single existing reputation weight for the Web merchant based at least in part on previous evaluations supplied by that evaluator user for multiple other reviews for items available from the Web merchant; and

automatically generate at least one aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, one or more of the generated aggregate assessments being further based on the single existing reputation weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight;

an evaluator reputation assessor component configured to automatically update the single existing reputation weights for each of one or more of the evaluator users for the Web merchant based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users . . .

Thus, as recited above, each of multiple evaluator users who provides a quantitative assessment of a particular item review has an existing reputation weight based at least in part on prior evaluation activities for the Web merchant, and that existing reputation weight is updated based on a relationship of the quantitative assessments of the review included in the evaluation provided by the evaluator user to the quantitative assessments of the same review included in other evaluations provided by other of the multiple evaluator users.

Various of the recited claim elements of independent computing device claim 59 are not taught, suggested or otherwise rendered obvious by the Tiwana and Williams references, whether alone or in combination. In particular, the Tiwana and Williams references lack any

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teaching or suggestion of updating an evaluator user's reputation weight based on a relationship between the quantitative assessments provided by the evaluator user in an evaluation of an item review for a merchant and the quantitative assessments provided by other evaluator users in evaluations of that same item review.

In a manner similar to that discussed above with respect to independent claim 11, the final Office Action admits that Tiwana fails to teach functionality related to a component configured to "automatically update the single existing reputation weights for each of one or more of the evaluator users for the Web merchant based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users," as recited by independent claim 59, but instead alleges that Williams discloses such functionality. (Final Office Action dated April 22, 2010, pages 6-7 and 25). However, despite such allegations, and as discussed in greater detail above with respect to claim 11, there is no mention or suggestion in Williams of updating or otherwise determining an evaluator user's reputation weight based on a relationship between the quantitative assessments provided by the evaluator user in an evaluation of an item review and the quantitative assessments provided by other evaluator users in evaluations of the same item review. Thus, there is no disclosure in any of the relied-upon references that is related to the above-indicated claim elements of claim 59.

Accordingly, despite the allegations in the final Office Action, no *prima facie* case of obviousness has been presented for independent claim 59. In addition, in a manner similar to that discussed above with respect to independent claim 11, no motivation has been provided to modify the relied-upon references to include the various recited functionality that such references lack, other than based on impermissible hindsight.

Thus, for at least all these reasons, the Tiwana and Williams references fail to teach, suggest or otherwise render obvious the recited functionality of independent computing device claim 59. Accordingly, claim 59 is patentable over these references, as are claims 60-68 that depend from claim 59.

B. Rejection of Claims 71-72 under 35 U.S.C. § 103(a) based on Tiwana, Williams and Konstan

The Tiwana, Williams and Konstan references do not teach or suggest the recited claim elements of dependent claims 71-72, and these claims are not otherwise obvious in light of a combination of such references. Nevertheless, the final Office Action has rejected dependent claims 71-72 as being obvious in light of Tiwana, Williams and Konstan.

However, as previously discussed with respect to independent method claim 11, the Tiwana and Williams references fail to teach or suggest various of the recited claim elements of independent claim 11, from which claims 71-72 depend. Furthermore, Konstan fails to remedy the above-discussed deficiencies of Tiwana and Williams with respect to independent claim 11, and the final Office Action has not alleged that Konstan is relevant to the recited claim elements of independent claim 11 that are lacking in Tiwana and Williams. For example, Konstan appears to fail to disclose any functionality that is related to "automatically updating the existing reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users," as is recited by independent method claim 11 and by dependent claims 71-72, and thus the combination of Tiwana, Williams and Konstan similarly fails to disclose any such functionality.

Accordingly, independent claim 11 is further patentable over a combination of the Tiwana, Williams and Konstan references (although it has not been rejected on that basis), and claims 71-72 that depend from claim 11 are similarly patentable over the combination of the Tiwana, Williams and Konstan references for at least the same reasons as claim 11.

C. Rejection of Claims 49-56 and 58 under 35 U.S.C. § 103(a) based on Tiwana and Delgado

The Tiwana and Delgado references do not teach or suggest the recited claim elements of independent computer-readable medium claim 49, nor the recited claim elements of claims 50-56 and 58 that depend from claim 49, and these claims are not otherwise obvious in light of Tiwana and Delgado.

Nonetheless, the final Office Action has rejected independent computer-readable medium claim 49 under 35 U.S.C. § 103(a) as allegedly being unpatentable over a combination of Tiwana and Delgado, and has rejected dependent claims 50-56 and 58 on the same basis. However, as is discussed in more detail below, the final Office Action is in error.

Claim 49 recites, in part, the following elements (with emphasis added):

receiving from a reviewer user <u>a review related to an available item</u>;

receiving evaluations of the review from each of multiple evaluator users, <u>each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review, each of the evaluator users having an existing reputation weight based at least in part on previous evaluations</u>;

automatically generating at least one aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, <u>at least one of the generated aggregate assessments being further based on the reputation weights of the evaluator users</u> in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight;

<u>automatically updating the reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users</u>; and

<u>determining whether to provide the review to another user based at least in part on one or more of the automatically generated aggregate assessments for the content of the review</u>.

Thus, as recited above, evaluator users are each given a reputation weight based in part on previous evaluations of reviews by the evaluator user, and the existing reputation weights of particular evaluator users are used in assessing evaluations of those evaluator users for the content of a review provided by another user. Furthermore, an evaluator user's reputation weight is updated based on a relationship of the quantitative assessments of a review included in the evaluation provided by that evaluator user to the quantitative assessments of the same review included in other evaluations provided by other of the multiple evaluator users.

Various of the recited claim elements of independent computer-readable medium claim 49 are not taught, suggested or otherwise rendered obvious by the Tiwana and Delgado references, whether alone or in combination. For example, the Tiwana and Delgado references

appear to lack any teaching or suggestion of maintaining an existing reputation weight for evaluator users based on prior evaluation activities, and of using those reputation weights to assess newly evaluated content.

The final Office Action admits that Tiwana lacks corresponding disclosure to various of the indicated claim elements, stating that "Tiwana … does not teach …each of the evaluator users having an existing reputation weight based at least in part on previous evaluations" (Final Office Action dated April 22, 2010, page 29), as well as that Tiwana lacks other recited claim elements related to use of such reputation weights. Nonetheless, the current Office Action alleges that the Delgado reference does disclose the existence and use of such reputation weights in the claimed manners.

Despite these allegations of the final Office Action, however, Delgado does not assess and maintain a distinct reputation weight for each evaluator user. Instead, Delgado discusses a type of recommendation system referred to as a "collaborative filtering" recommendation system, in which the system attempts to make a recommendation for a particular user (referred to in Delgado as the "active user") in a manner that is specific to that particular active user. To make a recommendation for a first active user, the system determines the similarity of the first active user to each of multiple other users, and uses information about the preferences of the other users to predict preferences of the first active user, based in part on the similarities specific to that first active user for the multiple other users. For example, Delgado indicates the following:

> Recommender Systems are learning systems that make use of data representing multi-user preferences over items …, to try to predict the preference towards new items or products regarding a particular user. … In general, the task in Recommender Systems is to predict the votes of a particular user (called the active user) over a given subject or item, for deciding its recommendation. … In Memory-based collaborative filtering algorithms [1], commonly used for Recommender Systems, the vote prediction of an active user … is done based on some partial information regarding the active user and a set if [sic, of] weights … <u>The weights ws(a,i) express the similarity between each user i and the active user a</u>.

(Delgado, page 1, columns 1 and 2).

Thus, when making a recommendation for a first active user, the system determines the similarity of the first active user to each of multiple other users, and uses a first weighting corresponding to those other users based on the similarity to the first active user. However,

when making a recommendation for a distinct second active user, the system similarly determines the similarity of the second active user to each of the same multiple other users, but determines a different second weighting to use corresponding to those other users (assuming that the first and second active users do not have identical preferences and other related information), since the similarities of those other users to the second active user will be different from the similarities of those same other users to the first active user. Accordingly, Delgado does not disclose a system in which each evaluator user is given a reputation weight based on their past evaluation activities – instead, in Delgado, the relevance of a particular user's past votes will be given a different weight for each active user for whom a recommendation is made, in a manner specific to that active user, in order to reflect similarities to that active user, rather than based on any inherent aspects of the other particular user's past votes.

Furthermore, because Delgado and Tiwana do not disclose maintaining an existing reputation weight for evaluator users based on their prior evaluation activities, they do not disclose or render obvious "automatically updating the reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users," such as is recited by independent claim 49.

Nevertheless, the final Office Action alleges the following:

> The system in Delgado updates the reputation weights of a user based on the relationship of assessments from that evaluator to the assessments from the evaluations of the other evaluators. See page 1 column 1 – the weights for users are based on similarity (i.e. with other users) and are updated over time, since the algorithm is a learning algorithm.

> Further on page 1 column 1 under 1. Introduction, the weights of users are updated based on what others are recommending (i.e. thus if a user deviates from what others are recommending, then their weight is decreased). Thus the examiner notes that the claim does not recite that the weights are based on their past evaluation activities, but that the weights are based on a relationship of the assessments of an evaluator to the assessments of other evaluators.

> (Final Office Action dated April 22, 2010, pages 2-3).

However, these allegations in the final Office Action are in error. Claim 49 does, in fact, recite "each of the evaluator users having an existing reputation weight based at least in

part on previous evaluations." Moreover, as is discussed above, Delgado does not describe that each evaluator user is given a reputation weight based on their past evaluation activities.

In addition, independent claim 49 recites automatically generating a single assessment of the content of a review based on the existing reputation weights of the evaluator users, and then "determining whether to provide the review to another user based at least in part on one or more of the automatically generated aggregate assessments for the content of the review." Thus, claim 49 generally recites that a single content assessment for an item review is used to determine how to use that item review with other users. Conversely, Delgado's user-specific recommendation system cannot be used in this manner. Not only does Delgado not teach using a single reputation weight for an evaluator user as part of a content assessment that is later used to do recommendations for other distinct users, but Delgado teaches away from such a technique, as the user-specific similarity assessment that is the basis of Delgado's collaborative filtering recommendation system is not operable without doing individual user-specific similarity assessments – as such, Delgado does not, and cannot use a single existing reputation weight for an evaluator user, as the similarly of an evaluator user to an active user is performed separately for and in a manner specific to each active user for whom a recommendation is being determined.

Thus, despite the allegations in the final Office Action, and for all of the reasons discussed above, Appellant respectfully submits that the final Office Action has failed to present even a *prima facie* case of obviousness for claim 49, as the Tiwana and Delgado references fail to include any teaching or motivation of the above-discussed claim elements. Furthermore, the final Office Action fails to provide any reason that one of skill in the art would be motivated to modify the systems of the relied-upon Tiwana and Delgado prior art references to include the functionality described above that they lack, or how the prior art reference systems could even obtain the recited types of information to use in the recited manners. As noted with respect to independent claim 11, above, the Supreme Court emphasized in its *KSR* ruling that a finding of obviousness should be supported by an explicit reason that one of skill in the art would have been motivated to modify existing systems or techniques to achieve the claimed systems or techniques. In this situation, one example of why one skilled in the art would not have a reason to modify the Tiwana and Delgado systems to achieve the benefits of the inventive techniques

recited in the pending claims is that Delgado teaches away from using reputation weights of evaluator users in the claimed manners, and would be inoperable if modified to attempt to use them. Furthermore, no reason has been demonstrated why one of skill in the art would be motivated to modify the Tiwana and Delgado systems to include the various claimed elements that those systems lack, nor how the Tiwana and Delgado systems could be operable if modified to include the recited claim elements discussed above.

Thus, for at least all these reasons, and given that the relied-upon Tiwana and Delgado references do not teach, suggest or otherwise render obvious the recited functionality of independent computer-readable medium claim 49, claim 49 is patentable over these references, as are claims 50-56 and 58 that depend from claim 49.

D. Summary

For all the reasons stated above, the appealed pending claims are patentable.

VIII.   CLAIMS APPENDIX

1-10.   (Canceled)

11.   (Previously Presented) A computer-implemented method for selecting information to provide to users based on reputations of evaluators of the information, the method comprising:

receiving from a reviewer user a review related to an item available from a Web merchant, the receiving of the review being performed by one or more programmed computing systems of the Web merchant;

receiving multiple evaluations of the review, each of the multiple evaluations being from one of multiple evaluator users who each has an existing reputation weight for the Web merchant that is based at least in part on previous evaluations supplied by that evaluator user for multiple other reviews for items available from the Web merchant, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review;

automatically generating an aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, the generated aggregate assessment being further based on the existing reputation weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight, the automatic generating being performed by the one or more programmed computing systems;

automatically updating the existing reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users, the automatic updating being performed by the one or more programmed computing systems; and

for each of multiple additional users of the Web merchant who are distinct from the multiple evaluator users and from the reviewer user, determining whether to provide the review to the additional user based at least in part on the automatically generated aggregate assessment for the content of the review.

12.   (Original) The method of claim 11 including, before the automatic updating of the reputation weights of the one or more evaluator users, determining whether the received evaluations satisfy an evaluator reputation calculation threshold, and wherein the automatic updating of the reputation weights of the one or more evaluator users is performed only when it is determined that the received evaluations satisfy the evaluator reputation calculation threshold.

13.   (Original) The method of claim 12 wherein the evaluator reputation calculation threshold is based at least in part on a minimum degree of consensus existing among the received evaluations, and wherein the determining includes automatically calculating the existing degree of consensus among the received evaluations.

14.   (Original) The method of claim 11 wherein the relationship of the quantitative assessments from the evaluation of an evaluator user to the quantitative assessments from the evaluations of other of the evaluator users that is used when automatically updating the reputation weight for that evaluator user is based on a degree of agreement between the quantitative assessments from the evaluation of the evaluator user and quantitative assessments from a consensus evaluation for the received evaluations.

15.   (Previously Presented) The method of claim 11 wherein the reputation weights of the evaluator users that are used in the automatic generating of the aggregate assessment of the content of the review were automatically generated based on the previous evaluations by those evaluator users.

16.   (Original) The method of claim 11 including, after the receiving of the evaluations from the evaluator users, for each of at least some of the evaluations receiving one or more ratings of the evaluation from users other than the evaluator user that provided the

evaluation, and automatically modifying the reputation weights for evaluator users whose evaluations received ratings based at least in part on those ratings.

17.   (Original) The method of claim 11 including, after the automatic updating of the reputation weights of the one or more evaluator users, receiving an indication that the content is no longer in use for determining reputation weights of the evaluator users, and automatically updating the reputation weights for each of those evaluator users to remove influence based on the relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users.

18.   (Previously Presented) The method of claim 11 wherein the automatic generating of the aggregate assessment of the content of the review is further based in part on an existing reputation weight of the reviewer user from which the review was received.

19.   (Previously Presented) The method of claim 18 wherein the reputation weight of the reviewer user is based on a degree of consistency between the automatically generated aggregate assessment of the content of the review and automatically generated aggregate assessments of the content of previous reviews received from the reviewer user.

20.   (Previously Presented) The method of claim 11 including automatically updating a reputation weight of the reviewer user from which the review was received based at least in part on the automatically generated aggregate assessment of the content of the review.

21.   (Original) The method of claim 20 including, before the automatic updating of the reputation weight of the reviewer user, determining whether the received evaluations satisfy an author reputation calculation threshold, and wherein the automatic updating of the reputation weight of the reviewer user is performed only when it is determined that the received evaluations satisfy the author reputation calculation threshold.

22.   (Previously Presented) The method of claim 11 including, before the automatic generating of the aggregate assessment of the content of the review, determining whether the received evaluations satisfy a content rating threshold, and wherein the automatic generating of

the aggregate assessment of the content of the review is performed only when it is determined that the received evaluations satisfy the content rating threshold.

23. (Previously Presented) The method of claim 22 wherein the content rating threshold is based at least in part on a weighted number of the evaluations received for the review from the evaluator users that is based on the reputation weights of the evaluator users in such a manner that an evaluation from a first evaluator user with a first reputation weight has a different impact on that weighted number of evaluations than an evaluation from a distinct second evaluator user with a distinct second reputation weight.

24. (Previously Presented) The method of claim 11 wherein each of the received evaluations includes quantitative assessments of the contents of the review for each of the multiple available content rating dimensions.

25. (Original) The method of claim 24 including, before the receiving of the evaluations of the review, determining the multiple available content rating dimensions.

26. (Original) The method of claim 11 including, before the receiving of the evaluations of the review, soliciting the evaluator users to provide evaluations of the review, the solicitations including indications of the multiple available content rating dimensions.

27. (Previously Presented) The method of claim 11 wherein the automatic generating of the aggregate assessment of the content of the review includes generating an aggregate assessment for each of the multiple available content rating dimensions.

28. (Previously Presented) The method of claim 27 including automatically generating an overall aggregate assessment of the review based at least in part on the multiple automatically generated aggregate assessments of the content of the review for the multiple available content rating dimensions.

29. (Previously Presented) The method of claim 11 wherein the automatically generated aggregate assessment of the content of the review is further based on a sales weighting

for each of one or more of the evaluator users, the sales weighting of an evaluator user reflecting an amount of prior sales to that evaluator user.

30. (Original) The method of claim 11 including, after the automatic updating of the reputation weights for the evaluator users, ranking each evaluator user relative to other evaluator users based at least in part on automatically generated evaluator reputation scores of those evaluator users.

31. (Original) The method of claim 30 wherein the reputation weight for each of the evaluator users is based on a combination of quantity and quality of evaluations provided by that evaluator user, and including automatically generating a distinct evaluator reputation rating score for each of the evaluator users based solely on the quality of the evaluations provided by that evaluator user, and wherein the evaluator reputation scores used for the ranking are the evaluator reputation rating scores.

32. (Original) The method of claim 30 including providing visible feedback to users of the rankings of at least some of the evaluator users.

33. (Original) The method of claim 11 wherein at least some of the evaluator users each have multiple existing reputation weights that correspond to previous evaluations by those evaluator users of content of different categories, and including, before the automatic updating of the reputation weights for the evaluator users, determining a category of the review, and wherein the automatic updating of the reputation weights of evaluator users that have multiple existing reputation weights is performed for an existing reputation weight of that evaluator user for the determined category.

34. (Original) The method of claim 11 wherein at least some of the evaluator users each have multiple existing reputation weights that correspond to different types of activities previously performed by those evaluator users, and wherein the automatic updating of the reputation weights of evaluator users that have multiple existing reputation weights is performed for an existing reputation weight of that evaluator user corresponding to prior review evaluation activities of that evaluator user.

35.   (Previously Presented) The method of claim 11 including, after the automatic updating of the reputation weights for the evaluator users, providing indications of the reputation weights for one or more of those evaluator users to one or more third-party computing devices to enable interactions by the third-party computing devices with those evaluator users based on those reputation weights.

36.   (Previously Presented) The method of claim 35 wherein the one or more third-party computing devices are provided by an entity that is distinct from the Web merchant.

37.   (Original) The method of claim 11 including receiving from one or more third-party computing devices information related to the reputations of one or more of the evaluator users, the received information based on interactions of those evaluator users with those third-party computing devices, and automatically updating the reputation weights for each of those evaluator users based on the received information.

38.   (Original) The method of claim 11 wherein the review is information obtained from a blog authored by the reviewer user.

39-48. (Canceled)

49.   (Previously Presented) A computer-readable medium whose contents cause a computing device to select information to provide to users based on reputations of evaluators of the information, by performing a method comprising:

receiving from a reviewer user a review related to an available item;

receiving evaluations of the review from each of multiple evaluator users, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review, each of the evaluator users having an existing reputation weight based at least in part on previous evaluations;

automatically generating at least one aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, at least one of the generated aggregate assessments being further based on the reputation

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weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight;

automatically updating the reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users; and

determining whether to provide the review to another user based at least in part on one or more of the automatically generated aggregate assessments for the content of the review.

50. (Previously Presented) The computer-readable medium of claim 49 wherein the relationship of the quantitative assessments from the evaluation of an evaluator user to the quantitative assessments from the evaluations of other of the evaluator users that is used when automatically updating the reputation weight for that evaluator user is based on a degree of agreement between the quantitative assessments from the evaluation of the evaluator user and quantitative assessments from a consensus evaluation for the received evaluations.

51. (Previously Presented) The computer-readable medium of claim 49 wherein the reputation weights of the evaluator users that are used in the automatic generating of the at least one aggregate assessments of the content of the review are automatically generated based on the previous evaluations by those evaluator users.

52. (Previously Presented) The computer-readable medium of claim 49 wherein the automatic generating of the at least one aggregate assessments of the content of the review is further based in part on an existing reputation weight of the reviewer user from which the review was received.

53. (Previously Presented) The computer-readable medium of claim 52 wherein the existing reputation weight of the reviewer user is based on a degree of consistency between one or more of the automatically generated aggregate assessments of the content of the review and automatically generated aggregate assessments of the content of previous reviews received from the reviewer user, and wherein the method further comprises automatically updating the

reputation weight of the reviewer user from which the review was received based at least in part on one or more of the automatically generated at least one aggregate assessments of the content of the review.

54.   (Previously Presented) The computer-readable medium of claim 49 wherein the method further comprises, before the automatic generating of the at least one aggregate assessments of the content of the review, determining whether the received evaluations satisfy a content rating threshold, and wherein the automatic generating of the at least one aggregate assessments of the content of the review is performed only when it is determined that the received evaluations satisfy the content rating threshold.

55.   (Previously Presented) The computer-readable medium of claim 49 wherein each of the received evaluations include quantitative assessments of the contents of the review for each of the multiple available content rating dimensions.

56.   (Previously Presented) The computer-readable medium of claim 49 wherein the automatic generating of the at least one aggregate assessments of the content of the review includes generating multiple aggregate assessments that are each for one of the multiple available content rating dimensions, and wherein the method further comprises automatically generating an overall aggregate assessment of the review based at least in part on the multiple automatically generated aggregate assessments of the content of the review.

57.   (Previously Presented) The computer-readable medium of claim 49 wherein the computer-readable medium is at least one of a memory of a computing device and a data transmission medium transmitting a generated data signal containing the contents.

58.   (Previously Presented) The computer-readable medium of claim 49 wherein the contents are instructions that when executed cause the computing device to perform the method.

59.   (Previously Presented) A computing device for selecting information to provide to users based on reputations of evaluators of the information, comprising:
    one or more processors;

a content rater component configured to, when executed by at least one of the one or more processors:

receive from a reviewer user a review related to an item available from a Web merchant;

receive evaluations of the review from each of multiple evaluator users, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review, each of the evaluator users having a single existing reputation weight for the Web merchant based at least in part on previous evaluations supplied by that evaluator user for multiple other reviews for items available from the Web merchant; and

automatically generate at least one aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, one or more of the generated aggregate assessments being further based on the single existing reputation weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight;

an evaluator reputation assessor component configured to automatically update the single existing reputation weights for each of one or more of the evaluator users for the Web merchant based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users; and

a content manager system configured to, when executed by at least one of the one or more processors, determine whether to provide the review to another user based at least in part on one or more of the automatically generated aggregate assessments for the content of the review.

60. (Previously Presented) The computing device of claim 59 wherein the relationship of the quantitative assessments from the evaluation of an evaluator user to the quantitative assessments from the evaluations of other of the evaluator users that is used when automatically updating the reputation weight for that evaluator user is based on a degree of agreement between

the quantitative assessments from the evaluation of the evaluator user and quantitative assessments from a consensus evaluation for the received evaluations.

61.   (Previously Presented) The computing device of claim 59 wherein the reputation weights of the evaluator users that are used in the automatic generating of the at least one aggregate assessments of the content of the review are automatically generated based on the previous evaluations by those evaluator users.

62.   (Previously Presented) The computing device of claim 59 wherein the automatic generating of the at least one aggregate assessments of the content of the review is further based in part on an existing reputation weight of the reviewer user from which the review was received.

63.   (Previously Presented) The computing device of claim 62 wherein the existing reputation weight of the reviewer user is based on a degree of consistency between one or more of the automatically generated aggregate assessments of the content of the review and automatically generated aggregate assessments of the content of previous reviews received from the reviewer user, and wherein the evaluator reputation assessor component is further configured to automatically update the reputation weight of the reviewer user from which the review was received based at least in part on one or more of the automatically generated at least one aggregate assessments of the content of the review.

64.   (Previously Presented) The computing device of claim 59 wherein the content rater component is further configured to, before the automatic generating of the at least one aggregate assessments of the content of the review, determine whether the received evaluations satisfy a content rating threshold, and wherein the automatic generating of the at least one aggregate assessments of the content of the review is performed only when it is determined that the received evaluations satisfy the content rating threshold.

65.   (Previously Presented) The computing device of claim 59 wherein each of the received evaluations include quantitative assessments of the contents of the review for each of the multiple available content rating dimensions.

66.   (Previously Presented) The computing device of claim 59 wherein the automatic generating of the at least one aggregate assessments of the content of the review includes generating multiple aggregate assessments that are each for one of the multiple available content rating dimensions, and wherein the content rater component is further configured to automatically generate an overall aggregate assessment of the review based at least in part on the multiple automatically generated aggregate assessments of the content of the review.

67.   (Previously Presented) The computing device of claim 59 wherein the content rater component and the evaluator reputation assessor component each include software instructions for execution in memory of the computing device.

68.   (Previously Presented) The computing device of claim 59 wherein the content rater component consists of means for receiving from a reviewer user a review related to an available item, for receiving evaluations of the review from each of multiple evaluator users, each received evaluation including a quantitative assessment of contents of the review for each of one or more of multiple content rating dimensions available for use in assessing the review, each of the evaluator users having an existing reputation weight based at least in part on previous evaluations, and for automatically generating at least one aggregate assessment of the content of the review based at least in part on combining quantitative assessments from the received evaluations for the review, at least one of the generated aggregate assessments being further based on the reputation weights of the evaluator users in such a manner that a first quantitative assessment from a first evaluator user with a first reputation weight has a different impact on that generated aggregate assessment than that first quantitative assessment from a distinct second evaluator user with a distinct second reputation weight, wherein the evaluator reputation assessor component consists of means for automatically updating the reputation weights for each of one or more of the evaluator users based on a relationship of the quantitative assessments from the evaluation of that evaluator user to the quantitative assessments from the evaluations of other of the evaluator users, and wherein the content manager system consists of means for determining whether to provide the review to another user based at least in part on one or more of the automatically generated aggregate assessments for the content of the review.

69.   (Previously Presented) The method of claim 11 wherein the automatic generating of the aggregate assessment of the content of the review based on the existing reputation weights of the evaluator users is performed in a manner independent of the multiple additional users.

70.   (Previously Presented) The method of claim 69 wherein the automatic updating of the existing reputation weights of the one or more evaluator users is performed in a manner independent of the multiple additional users.

71.   (Previously Presented) The method of claim 24 wherein the multiple available content rating dimensions include at least two of usefulness, accuracy, informativeness, and humorousness.

72.   (Previously Presented) The method of claim 27 wherein the multiple available content rating dimensions include at least two of usefulness, accuracy, informativeness, and humorousness.

IX. EVIDENCE APPENDIX

None.

X.   RELATED PROCEEDINGS APPENDIX

None.

For all the reasons stated above, Appellants request that the rejections of the appealed pending claims from the final Office Action dated April 22, 2010 be reversed, and that such claims be found to recite patentable subject matter.

Respectfully submitted,

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